Express Mail No.: EV320117545US I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated below, and that this paper or fee has been addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 Date Mailed Name Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner:

Art Unit:

Not Yet Assigned

Not Yet Assigned

Applicants: Qing Ma et al.

Serial No.: Not Yet Assigned

Filed:

Herewith

For:

MICRO-ELECTROMECHANICAL

STRUCTURE RESONATOR

FREQUENCY ADJUSTMENT USING RADIENT ENERGY TRIMMING AND

LASER/FOCUSED ION BEAM ASSISTED DEPOSITION

Docket No.: 42P10077D3

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Sir/Madam:

This preliminary amendment is submitted together with a new divisional application. An Information Disclosure Statement (IDS) is also included herewith. Please amend the application as shown below prior to consideration.

In the Specification

On page 1, line 2, immediately prior to the heading "Field of the Invention," please insert the following new paragraph:

-- CROSS-REFERENCE TO RELATED APPLICATIONS

This application is a divisional of, and claims priority under 35 U.S.C. § 120 from, U.S. Patent Application Serial No. 09/738,118, filed December 15, 2000, and still pending. --

P10077D3 **BSTZ Seattle**

In the Claims:

Please renumber the first occurrence of claims 13, 14 and 15 to claims 26, 27 and 28, respectively. Please cancel claims 1-12, 21-25 and 26-28 (as renumbered), without waiver or prejudice.

REMARKS

This preliminary amendment is submitted concurrently with a new divisional application claiming priority under 35 U.S.C. § 120 to U.S. Patent Application Serial No. 09/738,118, filed December 15, 2000. Claims 1-12 and 26-28 (as renumbered), which were elected in the parent case in response to a restriction, are canceled in this preliminary amendment. Claims 21-25 were canceled in the parent case. Claims 13-20 remain pending in the present application. Applicants respectfully request consideration of all pending claims.

Charge Deposit Account

Please charge our Deposit Account No. 02-2666 for any additional fee(s) that may be due in this matter, and please credit the same deposit account for any overpayment.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: <u>3-19-04</u>

Attorney for Applicant(s) Registration No. 40,621

Blakely, Sokoloff, Taylor & Zafman LLP 12400 Wilshire Boulevard, Seventh Floor Los Angeles CA 90025-1030

Phone: 206-292-8600 Facsimile: 206-292-8606

Enclosures: Postcard

Transmittals

Divisional application

Information Disclosure Statement (IDS)